Guideline for ensuring good scientific practice at ISDC - International Security and Development Center gGmbH

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Preamble

The freedom of science guaranteed in Germany under constitutional law requires responsibility. This responsibility includes, among other things, the obligation of institutions and individuals to ensure that science is conducted ethically and to a high standard of quality. Ethical science and scientific quality are equally based on honesty, transparency, diligence, self-reflection, critical faculties and mutual respect; in addition, ethical science and scientific quality are mutually dependent.

The present Guideline is based on the recommendations and proposals for safeguarding good scientific practice made by the German Research Foundation (the *Deutsche Forschungsgemeinschaft*) in 2013. The Guideline supplements the ISDC Code of Conduct in its currently valid version.

1. Scope

This Guideline applies to the scientific work of the ISDC - International Security and Development Center gGmbH (ISDC) and is binding for all staff working with and for the organisation (employees, students, doctoral students, interns and others) as well as the management. In addition, compliance with this Guideline in dealings with partners must be ensured. Partners can be other scientists, institutions, sponsors, clients or other experts or contact persons. If the following principles are violated, this must be reported immediately to the management of the ISDC.

2. Basic principles

2.1 General principles

The ISDC fosters a culture that promotes and supports honesty. The ISDC, its management and its employees work according to the recognised rules of discipline ("lege artis"). They are honest about their own research and that of others and do their utmost to ensure the accuracy of data and results. Contributions by others are appreciated; no one is to be involved in the misconduct of others, nor will it be concealed.

The ISDC, its management and its staff meet all legal and ethical requirements relevant to their field of research. They properly document their results, report potential conflicts of interest related to the research to management, and take steps to resolve them as necessary.

The management of the ISDC and its employees acknowledge that the ISDC as a scientific and non-profit institute is ultimately accountable to the public; the management and employees act accordingly. They ensure that all research work carried out is in accordance with the relevant agreements and conditions and enable adequate transparency and publicity of the research.

2.2 Cooperation and management responsibility

The ISDC, its management and its staff promote the open and trusting exchange of ideas, hypotheses, research methods, data and results as well as their discussion and examination, subject to any confidentiality requirements. The cooperation is organised in such a way that the ideas, hypotheses, research methods, data and results achieved in a

specialised division of labour are mutually communicated, criticised and brought together to a common state of knowledge, irrespective of hierarchical considerations.

The management and employees, in particular management staff, behave in an exemplary scientific manner and bear the responsibility for an appropriate organisation that ensures that the tasks of scientific management, supervision, conflict resolution and quality assurance are clearly assigned and actually performed.

2.3 Training courses

The ISDC enables its staff to participate in training courses in order to enable them to carry out their research appropriately. Employees shall ensure that they have the necessary skills to conduct research in their team or by working with specialists in their field.

2.4 Supervision of young researchers

The supervision of young scientists is to be understood in such a way that the rules of good scientific practice are taught to young scientists within the framework of education and research both as a basic scientific and ethical principle.

It must be ensured that there is always a reference person who is in a position to convey the principles for ensuring good scientific practice and who can contribute to preventing any misconduct on the part of young scientists.

The supervision of young scientists must be designed in such a way that the supervising person has an overview of the current research activities and the essential development steps of the work in question.

2.5 Research projects

It is necessary to ensure that the research questions raised in the context of a research project are designed to contribute to what is already known about the subject in question or to the methods of exploring that subject.

The research framework must be appropriate to the questions raised and take account of the main potential sources of data or literature.

Changes to previously approved drafts of research projects must be reviewed to ensure that the integrity of the research is not compromised.

2.6 Conflicts of interest

Conflicts of interest may arise due to financial, personal or institutional factors. Existing and also possible conflicts of interest must be reported immediately to the management of the ISDC.

A research project in which a conflict of interest exists may only be continued if the conflict of interest does not impair the integrity of the research, enough to convince ISDC management.

All decisions in connection with the existence of even a possible conflict of interest and any restrictions for the scientific work resulting therefrom must be adequately documented.

2.7 Collaborative work practices

In a joint research project, the principles and procedures for carrying out the research must be respected by all partners involved. This implies cooperation between the partners in respecting common principles and procedures in collaborative research, including solving any problems and investigating any allegations of research misconduct.

Problems that may become apparent as a result of the collaboration should be addressed as early as possible in order to agree in advance how they can be avoided or resolved. In particular, agreement should be reached on the specific roles of the researchers involved in the project and on issues related to intellectual property, publication and attribution of authorship.

Also in collaborative research work, it must be ensured that it is clearly agreed and recognisable which scientist at the ISDC is the scientific leader or coordinator for the work to be carried out at the ISDC.

2.8 Securing and storage of primary data

All legal requirements for the security and storage of data, in particular personal data, must be complied with. In principle, the anonymisation of personal data is to be assumed. In cases where personal data of test persons is the subject of research, the research-specific rules of the German Federal Data Protection Act (*Bundesdatenschutzgesetz* or BDSG) and the German Basic Data Protection Ordinance (*Datenschutzgrundverordnung* or DSGV) must be observed. Personal data must be anonymised as soon as this is possible according to the research purpose. Until then, the characteristics with which individual information about personal or factual circumstances can be assigned to a specific or determinable person must be stored separately.

Primary data shall be secured and stored on durable and secure media in the research institution or in that of a partner. Primary data include, but are not limited to, measurement results, study surveys, questionnaires and audio and film recordings. It must be ensured that the data remain stored and accessible for at least 10 years. For projects of clinical or significant social, environmental or cultural significance, they should be retained for 20 years or longer.

The requirements for proper logging as well as access and processing rules for the use of data must be adequately regulated and laid down in writing.

2.9 Performance and evaluation criteria

Originality and quality always take precedence over quantity as performance and evaluation criteria for research, promotions, recruitment and resource allocation.

Research results should be peer reviewed before publication. For performance evaluation, the relevant processes and principles for peer reviews are relevant and constitute an important part of good academic practice in the publication of research results.

No research results may be used without the author's permission. This must not be allowed to others.

The evaluation of achievements must be carried out accurately and honestly. No direct or indirect pressure may be exerted on reviewers.

2.10 Scientific publications

As a rule, scientific results which are compiled at the ISDC are to be made publicly accessible in the form of scientific publications (in line with the principle of public research).

It must be ensured that clients and sponsors of the research respect the principle of public research.

Staff shall fulfil their duty to publish research results in an appropriate manner.

Only those authors may be designated as authors of a scientific publication who have contributed substantially to the conception of the studies or experiments, to the execution of the research project, to the elaboration, analysis and interpretation of the data or to the formulation of the manuscript itself and have agreed to the publication. A person who fulfils the criteria for authorship may not be excluded from the submitted work.

It must be ensured that authorship is not awarded to honorary or guest authors and that anyone listed as the author of a work is responsible for the accuracy of that work and is able to identify their contribution to that work.

All sources used in research must be fairly evaluated and clearly identified. Furthermore, permission must be obtained from individuals or an organisation if a substantial portion of their work has been used in the publication.

A publication may not be sent to more than one potential publisher at the same time without this being indicated (double submission). In addition, any duplicate publication without disclosure is unacceptable.

Any published errors must be corrected appropriately.

2.11 Whistle-blowers

Persons to whom the Guideline applies may report specified violations of the Guideline to the Ombudsperson. The report must be made in good faith.

Whistle-blowers are protected. Discrimination or hostility by whistle-blowers and reprisals against whistle-blowers will not be tolerated. No whistle-blower may be disadvantaged at the ISDC by making a bona fide statement of suspicion.

Whistle-blowers should disclose their identity in order to allow further inquiries. Irrespective of this, however, anonymous reports are also possible. In the case of anonymous reports, it is possible that facts cannot be clarified, since queries are not possible.

Information must be treated confidentially by all parties involved. The name of the whistle-blower must be treated confidentially. Confidentiality serves to protect both the whistle-blower and the person concerned. In principle, an investigation requires the naming of the whistle-blower. Disclosure of the name to the person concerned may be

necessary in individual cases if the person concerned cannot otherwise defend themselves properly.

3. Misconduct in research

Persons participating in research shall not commit any of the acts listed in this section. The ISDC will investigate all allegations of unacceptable research behaviour and, in proven cases, inform the client or sponsor of the matter. Furthermore, academic, labour, civil and criminal legal consequences may ensue.

With regard to the standard of fault, the ISDC follows the model regulations of the German Rectors' Conference (*Hochschulrektorenkonferenz* - HRK). According to these rules, scientific misconduct exists "if, in a scientific context, false statements are made consciously or with gross negligence, if the intellectual property of others is infringed or if their research activities are impaired in any other way. The circumstances of the individual case are decisive in each case".[*]

3.1 Definitions

The following acts shall be considered in particular for serious misconduct:

(a) False information

This includes, but is not limited to:

1. the production of false data by inventing or falsifying data (e.g. suppression of relevant intelligence and/or data)
2. the erroneous interpretation of the data;
3. the manipulation of a representation or illustration;
4. incorrect information in an application letter or grant application;
5. the reckless handling of allegations of scientific misconduct, especially the making of deliberately incorrect allegations.

(b) Infringement of intellectual property rights

This also includes the following:

1. the unauthorised exploitation under presumption of authorship (plagiarism) of research approaches and ideas (theft of ideas);
2. the exploitation of research approaches and ideas (theft of ideas);
3. the presumption or unfounded acceptance of scientific authorship or co-authorship;
4. the falsification of the content or the unauthorised publication and unauthorised access to third parties, as long as the work, the knowledge, the hypothesis, the teaching or the research approach has not yet been published.

(c) Insufficient preservation of primary data

This includes:

[*] HRK Recommendation „Zum Umgang mit wissenschaftlichem Fehlverhalten in den Hochschulen“ (Managing misconduct in the field of science in tertiary education), in German, dated 6th July 1998, p. 3.

1. lack or absence of clear and accurate records of the research methods used and the results obtained;
2. denying access to relevant primary data and research evidence to eligible third parties for a certain period of time after completion of the research;
3. inadequate management or backup of data in accordance with the data policy of the sponsor or promoter and all relevant legislation.

(d) Breaches of duty of care

This includes among other things:

1. the misrepresentation of qualifications and/or experience, including the use of qualifications or experience which do not exist;
2. the non-disclosure of conflicts of interest;
3. breach of confidentiality or misuse of material provided in confidence.

(e) Shared responsibility

Shared responsibility can result from, among other things:

1. active participation in the misconduct of others;
2. the knowledge of falsifications by others;
3. co-authorship of forged publications;
4. the gross neglect of the duty of supervision.

3.2 The ombudsperson for questions of best practice

ISDC appoints an ombudsperson on issues of good scientific practice (known as 'ombudsperson') and a deputy ombudsperson. The tasks are performed by the ombudsperson, unless the ombudsperson is prevented or biased. In this case, the tasks are performed by the deputy ombudsperson. The rules for the ombudsperson apply mutatis mutandis to the deputy ombudsperson.

The ombudsperson is a scientist with experience in the field of the ISDC who is available to the management, staff and partners as a neutral contact person for questions of good scientific practice at the ISDC. The ombudsperson may not hold a management function at the ISDC.

In addition, the ombudsperson has the task, in case of suspicion of violations of the principles of good scientific practice, of being available to whistle-blowers in an advisory capacity and, as far as this is necessary according to the circumstances of the concrete case, as a confidential contact person. It decides whether an investigation is to be initiated.

The ombudsperson shall report to the management and the shareholders on his or her work once a year.

The contact details of the ombudsperson are listed on the ISDC website.

The shareholders' meeting of the ISDC appoints the majority of the ombudsperson for a period of one year. Repeated appointments are permissible. Before the expiry of the appointment period, the ombudsperson may terminate his activity by declaring his resignation to the management of the ISDC. The ISDC may terminate the activity on the

basis of a majority resolution of the shareholders by corresponding declaration of the management to the ombudsperson.

The activity of the ombudsperson is honorary; necessary expenses actually incurred will be reimbursed upon request.

3.3 Proceedings

(a) Preliminary examination

In the case of suspicious facts linked to scientific misconduct, the ombudsperson shall be informed; the ombudsperson may ask the whistle-blower for further information necessary to verify the plausibility of the facts and immediately informs the management about the existence of a suspicious case. It must be ensured that all subsequent steps, in particular clarifying actions, are carried out without delay.

The ombudsperson shall give the person affected by the suspicion of misconduct the opportunity to make a written statement within one week of receiving the request to do so. If the ombudsperson considers this necessary, an oral questioning may follow. The ombudsperson then immediately decides whether and which further clarification measures are necessary within the framework of the preliminary examination.

After a plausibility check of the facts, the ombudsperson immediately decides whether there are sufficient grounds for a violation. If this is not the case, the ombudsperson concludes the process, informs the management accordingly and documents the result of the plausibility check.

If, in the opinion of the ombudsperson, there are concrete suspicions of scientific misconduct, the managing director must be informed that there are concrete suspicions of scientific misconduct and the convening of an investigation committee must be recommended. The managing director shall then convene an investigation committee to clarify the matter.

(b) Investigation committee

The investigation committee shall consist of three members: the managing director of the ISDC as chairman and two further expert members appointed by the shareholders' meeting. The investigation committee has a quorum if all members are present. Each member of the committee has one vote. Resolutions require the approval of two members. If a member of the investigation committee is affected, the committee has a quorum with the remaining two members. The Investigation committee may call in the ombudsperson, additional experts from the field of the scientific facts to be assessed, and experts for dealing with such cases in an advisory capacity.

The investigation committee is authorised to hear witnesses and to examine all relevant evidence. The investigating committee shall give the person affected by the suspicion of misconduct the opportunity to comment, stating the incriminating facts and evidence, before the investigation is concluded.

The investigation committee shall deliberate in private oral proceedings. It examines in free assessment of evidence whether scientific misconduct is present. The name of the whistle-blower may be disclosed to the person concerned if the whistle-blower agrees, or if the person concerned otherwise cannot defend themselves properly, in particular

because the credibility of the whistle-blower is of significant importance for establishing the misconduct.

If the majority of the investigation committee considers that misconduct has been proven, the investigation committee shall make a recommendation as to whether and what consequences it considers appropriate. The shareholders' meeting of the ISDC is responsible for the final decision on possible consequences and the execution thereof.

The main reasons which led to the termination of the proceedings or to the decision of the investigation committee must be communicated immediately to the person concerned as well as to the whistle-blower in writing. The results must be kept strictly confidential by all parties involved. There is no appeal procedure against this decision.

The initiation and results of individual steps of the examination shall be recorded in writing, as shall the termination of the examination with the supporting reasons. Until the conclusion of the proceedings, information about the parties to the proceedings and the findings of the investigation must be treated as strictly confidential; thereafter, it may only be disclosed to third parties to the extent that this is necessary in the context of any consequences vis-à-vis the person concerned (see also 3.4). In cases of doubt, the shareholders' meeting shall decide on the disclosure.

After termination of the proceedings, the personal data collected in the proceedings must be deleted if it is no longer necessary for the purposes for which it was collected or otherwise processed, at the latest after four years.

3.4 Consequences of academic misconduct

The spectrum of inappropriate behaviour ranges from minor offences, which occur occasionally and unintentionally, to serious offences, such as deliberate plagiarism on a large scale. The following catalogue of possible consequences in reaction to scientific misconduct is therefore only to be understood as an initial orientation aid and does not claim to be exhaustive. The adequate reaction depends on the circumstances of the individual case.

(a) Academic consequences

Academic consequences in the form of the withdrawal of academic degrees cannot be stipulated by the ISDC itself, only by the bodies which awarded these degrees, usually universities. These are to be informed by the ISDC about serious scientific misconduct if this was in connection with the acquisition of an academic qualification. Therefore, the issuing of an admonition by the ISDC in particular may be considered as an academic consequence.

(b) Consequences under German labour law

Insofar as the person concerned is an employee of the ISDC, consequences under labour law also come into consideration:

1. Admonition: by an admonition we understand an informal measure under labour law for the purpose of the improvement of an employee's behaviour. In comparison to the warning, it does not contain a threat of sanctions for further breaches of duty.

2. Warning: the written warning to be included in the employee file is a preliminary step to dismissal.
3. Ordinary termination: an ordinary notice of termination can be considered as a termination conditioned by behaviour.
4. Extraordinary termination: an extraordinary termination presupposes that after the circumstances of the individual case and under consideration of the interests of both contracting parties, the continuation of the employer-employee relationship cannot be expected to continue. In more serious cases of scientific misconduct, this could apply to the employment relationship between the ISDC and an employee hired there. It should be noted that an extraordinary dismissal can only be made within a two-week period, which is why the examination of a misconduct must, in principle, be carried out quickly. The period begins as soon as the reason for termination is known to the management; as a rule, this is the case with the conclusion of the procedure according to 3.3.

Similar consequences apply to other forms of employee deployment in the ISDC, such as on the basis of contracts for work or service contracts.

(c) Consequences under German civil law

The following consequences related to civil law may need to be considered:

1. the granting of a house ban;
2. claims for restitution against the person concerned, e.g. for the surrender of stolen scientific material or similar;
3. claims for removal and injunctive relief arising from copyright and personal rights;
4. claims for repayment, e.g. of scholarships, third-party funds or other means;
5. claims for damages by the ISDC or by third parties in case of personal injury or damage to property.

(d) Consequences under German criminal law

Criminal consequences can be considered if it is suspected that scientific misconduct also constitutes a criminal offence. The shareholders' meeting decides on the involvement of the investigating authorities.

Possible criminal offences under German law are in particular: § 106 UrhG: unauthorised exploitation of copyrighted works; § 263 StGB: fraud; § 267 StGB: forgery of documents; § 333 StGB: granting of advantages and § 334 StGB: bribery.

(e) Revocation of scientific publications

Scientific publications which contain errors due to scientific misconduct must be withdrawn by the author (or authors) if they are still unpublished and corrected if they are published (revocation). The author(s) may be asked to publish an erratum or similar.

(f) Information from third parties

In order to protect third parties, to maintain confidence in scientific probity, to restore their scientific reputation, to prevent consequential damage and in the general public interest, interested third parties, possible third-party donors and/or the public may be informed. The decision in this regard is taken in the shareholders' meeting.

4. Other regulations and entry into force

The ISDC expressly reserves the right to make further provisions to safeguard good scientific practice.

In case of discrepancies between the German and English versions of this Guideline, the German version shall prevail.

The Guideline is effective from 13 February 2019.